

September 22, 2003

The Honorable Sam Brownback  
303 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Brownback,

Public Knowledge is pleased to endorse the “The Consumer, Schools, and Libraries Digital Rights Management Awareness Act of 2003,” (CSLDRMAA) because it ensures that consumers are informed about copy protection technology and that their privacy is protected online. Moreover, it guarantees that the right of “first sale” is preserved for digital media.

We support the DRMAA for the following reasons:

- It ensures that consumers are informed when digital media manufacturers use this technology in e-books, music, images, movies, etc. As you know, “Digital Rights Management” (DRM) tools such as copy protection are often used to protect copyright holders' rights in the digital age, but they can also limit consumers' lawful use of the digital media products they buy.
- It guarantees that an individual's right to resell or donate a book, movie, or CD—a right taken for granted in the analog world—would apply to the digital world as well. While DRM technology can have benefits, your bill anticipates overbearing protection schemes that could prevent consumers from reselling their music CDs or legally downloaded e-books. We welcome the DRMAA's clarification of the law to prohibit any copy protection that prevents consumers' ability to resell their legally obtained content.
- It fixes a loophole in the Digital Millennium Copyright Act that permits copyright holders and others to obtain the personal information of a peer-to-peer network user without a judicial determination that the user is engaged in infringing conduct. Your bill is the first of its kind to help protect consumers by preventing Internet Service Providers (ISPs) from divulging this information, unless served with a valid subpoena issued during a pending civil lawsuit.

Public Knowledge looks forward to working with you in promoting this legislation and the important values it intends to protect.



Gigi B. Sohn  
President

*The Public's Voice in the Digital Age*



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